



FIANCÉ(E) VISAS



If you wish to marry in the United States, a fiancé(e) visa allows your fiancé(e) to travel to the United States to marry you. This type of visa must be used within six months of its issue date and is good for only one entry. Once your intended spouse enters the United States, the wedding must take place within three months. If you decide not to marry, then your fiancé(e) must depart the United States within that three-month period.

Useful Websites.

- U.S. Citizenship and Immigration Services: <http://uscis.gov/>
- U.S. Department of State: <http://travel.state.gov>
- U.S. Embassy, Seoul Korea: <http://seoul.usembassy.gov/>

STEPS

- A. The U.S. Citizen fiancé(e) must file the Petition for Alien Fiancé(e), Form I-129F with the Department of Homeland Security's U.S. Citizenship and Immigration Services (USCIS) office that serves the area where he/she lives. See the Department of Homeland Security's USCIS Field Offices for information on where you can file the petition. You cannot file this petition at an embassy, consulate or U.S. immigration office abroad. After the USCIS approves the petition, it sends the petition to National Visa Center for processing, prior to being sent the embassy or consulate where your fiancé(e) will apply for a K-1 nonimmigrant visa for a fiancé(e).
- B. Fees are charged for the following services:
- 1) Filing an Alien Fiancé(e) Petition, Form I-129F, currently \$165.00.
 - 2) Nonimmigrant visa application processing fee.
 - 3) Medical examination (costs vary from post to post).
 - 4) Fingerprinting fees, if required.
 - 5) Other costs may include translation and photocopying charges, fees for getting the documents required for the visa application (such as passport, police certificates, birth certificates, etc.), and expenses for travel to the embassy or consulate for an interview. Costs vary from country to country and case to case.
 - 6) Filing Form I-485 Application to Register Permanent Residence or to Adjust Status once in the United States.
 - 7) For current fees for Department of State, government services select Fees.
- C. The consular section at the embassy or consulate where you, the fiancé(e) of an American citizen, will apply for a visa tells you of any additional specific requirements, such as where you need to go for the required medical examination.

The following is required:

- 1) A passport valid for travel to the United States and with a validity date at least six months beyond the applicant's intended period of safety in the United States.
- 2) Birth certificate.

- 3) Divorce or death certificate of any previous spouse for both the applicant and the petitioner.
 - 4) Police certificate from all places lived since age 16.
 - 5) Medical examination (vaccinations are optional, see below).
 - 6) Evidence of financial support (Form I-134, Affidavit of Support may be requested).
 - 7) Two Nonimmigrant Visa Applications, Form DS-156 (A Form DS-156, prepared in duplicate). One Nonimmigrant Fiancé(e) Visa Application, Form DS-156K.
 - 8) Two nonimmigrant visa photos (each two inches 50 X 50 mm square, showing full face, against a light background).
 - 9) Evidence of a fiancé(e) relationship.
 - 10) A statement written by your U.S. Citizen petitioner (Fiancé(e)) describing how you met.
 - 11) Proof that the two of you have met within the last two years, or that you qualify for an exceptions to this requirement.
 - 12) The consular officer may ask for additional information according to the circumstances of the case. Documents in foreign languages should be translated.
 - 13) Take clear, legible photocopies of civil documents, such as birth and marriage certificates, to the interview. Original documents can then be returned to you.
- D. When she/he has all the documents in hand a visa interview can be scheduled by telephone.
- E. If you wish to withdraw the petition before a K-1 is actually issued, you should make a written request to the Embassy.
- F. Subsequent to your marriage in the U.S., you must file an I-485, application to register permanent residence or adjust status, with the INS office having jurisdiction over your place of residence.
- G. Once the I-485 has been filed and a need arises for you to depart the U.S. prior to adjustment, an advance parole must be obtained (Form I-131). Failure to obtain this document prior to departing the U.S. will result in the abandonment of the application for adjustment.
- H. If your spouse departs the U.S. without Form I-131, your spouse will not be able to return to the U.S. until the U.S. citizen spouse files a petition (I-130).

** This handout is for general informational purposes only. For specific questions concerning individual circumstances, or for questions in general on the fiancé(e) visas, contact the Client Legal Services Office in your area.*

Yongsan Client Legal Services Office, Bldg 4106, room 229 (ACS building). Please call 738-6841/8111 for an appointment. Office hours: M, Tu, W, F 0900-1600 and Th 1300-1500.
